

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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|---|------------------------------------|
| Applicant(s): Robert E. Fischell et al.   | ) Docket No.: JOH2748P0043US       |
|   | )                                  |
| Serial No.: Not Yet Assigned              | ) Examiner: Not Yet Assigned       |
|   | )                                  |
| Filing Date:                              | ) Group Art Unit: Not Yet Assigned |
|   | )                                  |
| Invention: Stent Having A Multiplicity of | )                                  |
| Undulating Longitudinals                  | )                                  |

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop DD  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

This application is a continuation of Serial No. 10/345,531, filed on January 16, 2003, which is a continuation of Serial No. 09/596,074, filed on 16 June 2000, now U.S. Patent No. 6,547,817, which is a continuation of Serial No. 09/263,518, filed on 5 March 1999, now U.S. Patent No. 6,086,604, which is a continuation of Serial No. 08/864,221, filed on 28 May 1997, now U.S. Patent No. 5,879,370, which is a continuation of Serial No. 08/202,128, filed on 2 February 1994, now U.S. Patent No. 5,643,312. --

During the prosecution of these applications, various art and other information were presented to the U.S. Patent and Trademark Office in the form of discussion in the Information Disclosure Statements and in the form of documents identified in Form PTO-1449s associated with the Information Disclosure Statements. Appended hereto are copies of the Information Disclosure Statements, and the accompanying Form PTO-1449's filed in these applications. Pursuant to 37 CFR 1.98(d), applicants have not resubmitted herewith a copy of each reference or document. However, applicants' attorney is prepared to provide the Examiner a copy of any reference or document that the Examiner cannot locate from the related patent application files.

Appended hereto is a Form PTP-1149 with the caption of this application that sets forth the documents identified on the previously filed Form PTO-1449s. The

Examiner is requested to indicate the consideration of each reference or document with an initial in the left hand column next to each reference or document.

Applicant's attorney is available to provide any additional information upon request.

Respectfully submitted,

Date: 09-15-03

By   
Joel E. Siegel, Reg. No. 26,440

Attorneys for Applicants  
Wood, Phillips, Katz, Clark & Mortimer  
Citicorp Center, Suite 3800  
500 West Madison Street  
Chicago, Illinois 60661-2511  
312/876-1800 (phone)



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|--|---|----|---|----------------------|---------------------------|
| Substitute for form 1449A/PTO<br><br><p style="text-align: center;"><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b></p> <p style="text-align: center;"><i>(Use as many sheets as necessary)</i></p> |   |    |   | Application Number   | 09/596,074                |
|  |   |    |   | Filing Date          | June 16, 2000             |
|  |   |    |   | First Named Inventor | Robert E. Fischell et al. |
|  |   |    |   | Group Art Unit       | 3731                      |
|  |   |    |   | Examiner Name        | W. Lewis                  |
| Sheet  | 1 | of | 4 | Attorney Docket No.  |                           |

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

| Examiner Initials <sup>1</sup> | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document<br>MM-DD-YYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|--------------------------------|-----------------------|-------------------------|---------------------|--------------------------------------|---|--|---|----------------|
|                                |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |   |  |   |                |
|                                |                       | JP                      | 6-41745             | A61M 29/02                           | Hanako Medical Company Ltd.                     | 06-03-94   |   |                |
|                                |                       |                         |                     |                                      |   |  |   |                |
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|                                |                       |                         |                     |                                      |   |  |   |                |
| Examiner Signature             |                       |                         |                     |                                      |   | Date Considered                                    |   |                |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WPO Standards ST.16, if possible. <sup>6</sup> Applicant is to place a checkmark here if English language Translation is attached.



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|---|---|----|---|----------------------|---------------------------|
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|   |   |    |   | Group Art Unit       | 3731                      |
|   |   |    |   | Examiner Name        | W. Lewis                  |
| Sheet   | 2 | of | 5 | Attorney Docket No.  |                           |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS |                       |   |                 |
|---|-----------------------|---|-----------------|
| Examiner Initials*                                | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup>  |
|   |                       | Jury Verdict (Damages) of Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc. et al., Civil Action No. 97-550-SLR and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)                   |                 |
|   |                       | Jury Verdict (Liability) Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc. et al., Civil Action No. 97-550-SR and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)                     |                 |
|   |                       | November 20, 2000, Pretrial Hearing of Boston Scientific Corporation et al. v. Cordis Corporation, Civil Action No. 98-19 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)                                   |                 |
|   |                       | November 21, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave, Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)  |                 |
|   |                       | November 27, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave., Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)   |                 |
|   |                       | November 28, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave., Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)   |                 |
|   |                       | November 29, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave., Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)   |                 |
|   |                       | November 30, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave., Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)   |                 |
|   |                       | December 1, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave., Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)  |                 |
|   |                       | December 4, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave., Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)  |                 |
|   |                       | December 5, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave., Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)  |                 |
|   |                       | December 6, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave., Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)  |                 |
|   |                       | December 7, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave., Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)  |                 |
|   |                       | December 8, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave., Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)  |                 |
|   |                       | December 11, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave., Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)   |                 |
|   |                       | December 12, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave., Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)   |                 |
|   |                       | December 13, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave., Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)   |                 |
| Examiner Signature                                |                       |   | Date Considered |

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<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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|---|---|----|---|----------------------|---------------------------|
| Substitute for form 1449A/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(Use as many sheets as necessary)</i> |   |    |   | Application Number   | 09/596,074                |
|   |   |    |   | Filing Date          | June 16, 2000             |
|   |   |    |   | First Named Inventor | Robert E. Fischell et al. |
|   |   |    |   | Group Art Unit       | 3731                      |
|   |   |    |   | Examiner Name        | W. Lewis                  |
| Sheet   | 3 | of | 5 | Attorney Docket No.  |                           |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS |                       |  |                 |
|---|-----------------------|--|-----------------|
| Examiner Initials*                                | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.  | T <sup>2</sup>  |
|   |                       | December 14, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave., Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)  |                 |
|   |                       | December 15, 2000, Trial Transcript of Cordis Corporation v. Medtronic Ave., Inc. et al., Civil Action No. 97-550 (SLR) and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)  |                 |
|   |                       | February 9, 2001, Trial Transcript (Inequitable Conduct) of Cordis Corporation v. Medtronic Ave, Inc., et al, Civil Action No. 97-550 and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)  |                 |
|   |                       | February 12, 2001, Trial Transcript (Inequitable Conduct) of Cordis Corporation v. Medtronic Ave, Inc., et al, Civil Action No. 97-550 and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)   |                 |
|   |                       | March 28, 2002, Order re Post Trial Motions of Cordis Corporation v. Medtronic Ave., Inc., Civil Action No. 97-550 (SLR)   |                 |
|   |                       | March 28, 2002, Opinion re Post Trial Motions of Cordis Corporation v. Medtronic Ave., Inc., Civil Action No. 97-550 (SLR)   |                 |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Brief in Support of BSC's Motions for Judgement as a Matter of Law with Respect to U.S. Patent Nos. 5,643,312 and 5,879,370, Civil Action No. 98-197-SLR  |                 |
|   |                       | Cordis Corporation v. Boston Scientific Corporation, and Scimed Life Systems, Inc., Answering Brief in Opposition to BSC's Motion for JMOL on the Fischell '312 and '370 Patents, Civil Action No. 98-197-SLR  |                 |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., BSC's Reply Brief in Support of BSC's Motions for Judgement as a Matter of Law with Respect to U.S. Patent Nos. 5,643,312 and 5,879,370, Civil Action No. 98-197-SLR  |                 |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Opening Brief in Support of Cordis' JMOL Motion Against Boston Scientific on Claim 44 of the Palmaz '762 Patent and Claim 25 of the Fischell '370 Patent, Civil Action No. 97-550 (SLR) and Civil Action No. 98-197-SLR   |                 |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., BSC's Brief in Opposition To Cordis' JMOL Motion Regarding the Applicability of the Reverse Doctrine of Equivalents to Claim 25 of U.S. Patent No. 5,879,370, Civil Action No. 98-197-SLR   |                 |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Reply Brief in Support of Cordis' Motion for JMOL Against BSC on Claim 44 of the Palmaz '762 Patent and Claim 25 of the Fischell '370 Patent, Civil Action No. 97-550-SLR and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR) |                 |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., BSC's Post-Trial Brief in Support of Finding that U.S. Patent Nos. 5,643,312 and 5,879,370 are Unenforceable due to Inequitable Conduct, Civil Action No. 98-197 (SLR)  |                 |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., BSC's Reply Brief in Support of Finding That U.S. Patent Nos. 5,643,312 and 5,879,370 are Unenforceable due to Inequitable Conduct, Civil Action No. 98-197-SLR   |                 |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Reply Brief in Support of Defendants' Motion for Summary Judgment of Unenforceability due to Inequitable Conduct, Civil Action No. 98-197-SLR   |                 |
| Examiner Signature                                |                       |  | Date Considered |

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|   |   |    |   | Filing Date          | June 16, 2000             |
|   |   |    |   | First Named Inventor | Robert E. Fischell et al. |
|   |   |    |   | Group Art Unit       | 3731                      |
|   |   |    |   | Examiner Name        | W. Lewis                  |
| Sheet   | 4 | of | 5 | Attorney Docket No.  |                           |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS |                       |   |                |
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| Examiner Initials*                                | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.   | T <sup>2</sup> |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Defendants' Markman Memorandum on Claim Construction, Civil Action No. 98-197-SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Reply Brief in Support of Defendants' Motion for Summary Judgement of Invalidity Under 35 U.S.C. Section 112, Paragraph 2 (Claim Indefiniteness), Civil Action No. 98-197-SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Reply Brief in Support of Defendant's Motion for Summary Judgement of Noninfringement, Civil Action No., 98-197-SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Opening Expert Report of David C. Cumberland, M.D., Civil Action No. 98-197 SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Rebuttal Expert of David C. Cumberland, M.D., Civil Action No. 98-197-SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Supplemental Expert Report of David C. Cumberland, M.D. Civil Action No. 98-197-SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Opening Expert Report of Andrew S. Douglas, Ph.D., Civil Action No. 98-197-SLR   |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Rebuttal Expert Report of Andrew S. Douglas, Ph.D., Civil Action No. 98-197-SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Supplemental Expert Report of Andrew S. Douglas, Ph.D., Civil Action No. 98-197-SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Boston Scientific Corporation and Scimed Life Systems, Inc.'s Notice Pursuant to 35 U.S.C. §282, Civil Action No. 97-550-SLR and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR) |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Memorandum Order dated September 7, 2000, Civil Action No. 98-197-SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Order dated November 1, 2000 Denying Defendant's Motion for Summary Judgment of Invalidity, Civil Action No. 98-197-SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Order dated November 1, 2000 Summary Judgement of Infringement, Civil Action No. 98-197-SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Deposition of Robert E. Fischell, Ph.D dated November 16, 1999, Civil Action No. 98-197-SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Deposition of Robert E. Fischell, Ph.D dated January 4, 2000, Civil Action No. 98-197-SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Deposition of Robert E. Fischell, Ph.D dated January 5, 2000, Civil Action No. 98-197-SLR  |                |
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|   |   |    |   | Examiner Name        | W. Lewis                  |
| Sheet   | 5 | of | 5 | Attorney Docket No.  |                           |

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| Examiner<br>Initials*                             | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|   |                          | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Deposition of Robert E. Fischell, Ph.D dated January 6, 2000, Civil Action No. 98-197-SLR  |                |
|   |                          | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Deposition of Robert E. Fischell, Ph.D dated January 6, 2000, Civil Action No. 98-197-SLR  |                |
|   |                          | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Deposition of Robert E. Fischell, Ph.D. dated June 15, 2000, Civil Action No. 98-197-SLR   |                |
|   |                          | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Deposition of Morton Rosenberg, Esq. Dated February 3, 2000, Civil Action No. 98-197-SLR   |                |
|   |                          | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Deposition of Morton J. Rosenberg, Esq. dated June 15, 2000, Civil Action No. 98-197-SLR   |                |
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UNITED STATES PATENT AND TRADEMARK OFFICE

|               |                            |   |                 |                |
|---------------|----------------------------|---|-----------------|----------------|
| Applicant(s): | Robert E. Fischell         | ) | Docket No.:     | JOH2748P0042US |
|               |                            | ) |                 |                |
| Serial No.:   | 10/345,531                 | ) | Group Art Unit: | 3737           |
|               |                            | ) |                 |                |
| Filing Date:  | 01/16/03                   | ) | Examiner:       | Jain, Ruby     |
|               |                            | ) |                 |                |
| Invention:    | Stent Having A             | ) |                 |                |
|               | Multiplicity of Undulating | ) |                 |                |
|               | Longitudinals              | ) |                 |                |

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner of Patents  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement document is being submitted in connection with the Request For Continued Examination (RCE) document filed herewith.

Appended hereto is a copy of a document entitled "Information From Related Litigation In Conformance with MPEP 2001.06(c)" and appended Form 1449, which document was initially filed in Serial No. 09/596,074 and subsequently filed in the present application.

Certain of the previously submitted materials were indicated by the Examiner as not having been considered. In conferring with Examiners Ruby Jain and Marvin Lateef with respect to this issue, it was suggested to the undersigned attorney to file this RCE document in order to permit the Examiner the opportunity to consider these materials.

Applicant assumes that the Examiner has previously considered the prosecution file materials of Serial No. 09/983,837, referred to in the Preliminary Amendment with respect to the presently pending claims. However, for the Examiner's convenience,

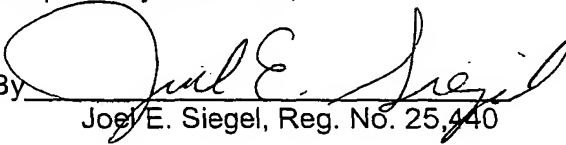


appended hereto is a copy of an Office Action directed to the presently pending claims from this prior application.

Should the Examiner require any additional information, the undersigned attorney will immediately respond upon receipt of such request.

Respectfully submitted,

Date: July 14, 2003

By   
Joe E. Siegel, Reg. No. 25,440

Attorneys for Applicant  
Wood, Phillips, Katz, Clark & Mortimer  
Citicorp Center, Suite 3800  
500 West Madison Street  
Chicago, IL 60661-2511  
312-876-1800  
312-876-2020 Fax

Substitute for form 1449A/PTO

Complete if Known

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 5

Application Number  
Filing Date  
First Named Inventor Robert E. Fischell  
Group Art Unit  
Examiner Name  
Attorney Docket Number JOH2748P0043US

## U.S. PATENT DOCUMENTS

| Examiner<br>Initials | Cite<br>No. | U.S. Patent Document |                                      | Name of Patentee or Applicant<br>of Cited Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Paragraphs or Relevant<br>Figure Address |
|----------------------|-------------|----------------------|--------------------------------------|--|--|--|
|                      |             | Number               | Kind Code <sup>1</sup><br>(if known) |  |  |  |
|                      |             | 3,657,744            |                                      | R. A. Ersek  | 04/25/1972   |  |
|                      |             | 4,503,569            |                                      | C.T. Dotter  | 03/12/1985   |  |
|                      |             | 4,553,545            |                                      | D. Maass et al                                     | 11/19/1985   |  |
|                      |             | 4,580,568            |                                      | C. Gianturco                                       | 04/08/1986   |  |
|                      |             | 4,655,771            |                                      | H.I. Wallsten                                      | 04/07/1987   |  |
|                      |             | 4,681,110            |                                      | D.M. Wiktor  | 07/21/1987   |  |
|                      |             | 4,733,665            |                                      | J.C. Palmaz  | 03/29/1988   |  |
|                      |             | 4,739,762            |                                      | J.C. Palmaz  | 04/26/1988   |  |
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|----------------------|-------------|-------------------------|---------------------|--------------------------------------|--|--|--|----|
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Robert E. Fischell

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First Named Inventor Robert E. Fischell  
Group Art Unit  
Examiner Name  
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## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

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**First Named Inventor**

Robert E. Fischell

**Group Art Unit**

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1

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|   |   |    | First Named Inventor <u>Robert E. Fischell</u> |  |  |
|   |   |    | Art Unit                                       |  |  |
|   |   |    | Examiner Name                                  |  |  |
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| Application Number  |   |    |   | 08/00000000              |  |
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|                                   | 26            | us-5,192,307                              | 3/9/1993                       | W. H. Wall   |   |
|                                   | 27            | us-5,195,984                              | 3/23/1993                      | R. A. Schatz                                       |   |
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|                                   | 38            | us-5,443,500                              | 8/22/1995                      | V. Sigwart   |   |
|                                   | 39            | us-5,449,373                              | 9/12/1995                      | G. Pinchasi  |   |
|                                   | 40            | us-5,496,365                              | 3/5/1996                       | J. C. Sgro   |   |

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| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |                        | Application Number       |                    |
|   |                        | Filing Date              |                    |
|   |                        | First Named Inventor     | Robert E. Fischell |
|   |                        | Group Art Unit           |                    |
|   |                        | Examiner Name            |                    |
| Sheet 4 of 5  | Attorney Docket Number | JOH2748P0043US           |                    |

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| Examiner Initials <sup>1</sup>                    | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T <sup>2</sup> |
|   | 61                    | Lawrence et al., "Percutaneous Endovascular Graft: Experimental Evaluation," 1987 RSNA Annual Meeting, <u>Radiology</u> , vol. 163, pp. 357-60 (May 1987)  |                |
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|   | 63                    | Fallone et al., "Elastic Characteristics of the Self-Expanding Metallic Stents," <u>Investigative Radiology</u> , vol. 23, pp. 370-76 (May 1988).  |                |
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|  |  |  |  | First Named Inventor     |  |
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|   |   |    |   | First Named Inventor |  | Robert E. Fischell et al. |
|   |   |    |   | Group Art Unit       |  |                           |
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| Sheet   | 1 | of | 4 | Attorney Docket No.  |  | JOH2748P0043US            |

| U.S. PATENT DOCUMENTS |                          |                      |                                      |                                  |  |  |
|-----------------------|--------------------------|----------------------|--------------------------------------|----------------------------------|--|--|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | U.S. Patent Document |                                      | Name of Patentee<br>or Applicant | Date of Publication<br>of Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines<br>Where Relevant Passages or<br>Relevant Figures Appear |
|                       |                          | Number               | Kind Code <sup>2</sup><br>(if known) |                                  |  |  |
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|                       |                          | 5,135,536            |                                      | Richard A. Hillstead             | 08-04-92   |  |
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| FOREIGN PATENT DOCUMENTS          |                          |                         |                     |                                      |   |   |   |                |
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|                                   |                          | JP                      | 6-41745             | A61M 29/02                           | Hanako Medical<br>Company Ltd.                        | 06-03-94  |   |                |
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|   |   |    |   | First Named Inventor |                | Robert E. Fischell et al. |
|   |   |    |   | Group Art Unit       |                |                           |
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|   |                       | Jury Verdict (Damages) of Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc. et al., Civil Action No. 97-550-SLR and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR)                   |                 |
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|   |   |    |   | Filing Date          |                           |
|   |   |    |   | First Named Inventor | Robert E. Fischell et al. |
|   |   |    |   | Group Art Unit       |                           |
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|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Boston Scientific Corporation and Scimed Life Systems, Inc.'s Notice Pursuant to 35 U.S.C. §282, Civil Action No. 97-550-SLR and Cordis Corporation v. Boston Scientific Corporation et al., Civil Action No. 98-197 (SLR) |                 |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Memorandum Order dated September 7, 2000, Civil Action No. 98-197-SLR  |                 |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Order dated November 1, 2000 Denying Defendant's Motion for Summary Judgment of Invalidity, Civil Action No. 98-197-SLR  |                 |                |
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|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Videotaped Deposition of Robert E. Fischell, Ph.D dated November 16, 1999, Civil Action No. 98-197-SLR   |                 |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Videotaped Deposition of Robert E. Fischell, Ph.D dated January 4, 2000, Civil Action No. 98-197-SLR   |                 |                |
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| Sheet   | 5 | of | 5 | Attorney Docket No.  | JOH2748P0043US            |

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| Examiner Initials*                                | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Videotaped Deposition of Robert E. Fischell, Ph.D dated January 6, 2000, Civil Action No. 98-197-SLR   |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Videotaped 30 (b) (6) Deposition of Robert E. Fischell, Ph.D dated January 6, 2000, Civil Action No. 98-197-SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Videotaped Deposition of Robert E. Fischell, Ph.D. dated June 15, 2000, Civil Action No. 98-197-SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Videotaped Deposition of Morton Rosenberg, Esq. Dated February 3, 2000, Civil Action No. 98-197-SLR  |                |
|   |                       | Cordis Corporation v. Boston Scientific Corporation and Scimed Life Systems, Inc., Videotaped Deposition of Morton J. Rosenberg, Esq. dated June 15, 2000, Civil Action No. 98-197-SLR  |                |
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Sheet 1 of 1

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|                        |                    |
|------------------------|--------------------|
| Application Number     |                    |
| Filing Date            |                    |
| First Named Inventor   | Robert E. Fischell |
| Art Unit               |                    |
| Examiner Name          |                    |
| Attorney Docket Number | 10H2748P0043US     |

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Examiner  
Signature

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